THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9640 of 2002

Dated:04.07.2007

Between
Tirumalasetty Lakshmi Narayanamma
.....Petitioner

and

1.The Commissioner and Director of
School Education, Andhra Pradesh,
Hdyerabad and others.
...Respondents

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W.P.No.9640 of 2002

ORDER:

This writ petition is field seeking to declare the action of the 4th respondent in not opening the new Primary School at B.C.Colony, Petluvaripalem, Narasaraopet Mandal, Guntur District in spite of directions from respondents 1 to 3, as arbitrary and illegal.

Though the writ petition was admitted on 21.5.2002, no interim order was granted by this Court.

A detailed counter affidavit has been filed on behalf of respondents 1 to 4 stating that though initially permission was accorded to open new Primary School at B.C.Colony, Petlurivaripalem, Narasaraopet Mandal during

2001-2002 vide proceedings in Rc.No.1200/C1/2001 dated 20.11.2001 duly giving erratum by shifting the place from Donepudi to B.C.Colony of Petlurivaripalem, due to administrative reasons, the said order was kept in abeyance vide proceedings dated 6.12.2001 and the same was informed to the Mandal Educational Officer, Narasaraopet not to open the school in the said village until further orders. Further, as per the instructions of the District Collector, the orders which were kept in abeyance were cancelled and fresh orders were again issued to the Mandal Educational Officer, Narasaraopet vide R.C.No.1200/C1/2001, dated 5.3.2002 to open a new Primary School immediately at B.C.Colony of Petlurivaripalem and to report compliance. But, the Mandal Educational Officer, Narasaraopet vide letter dated 23.6.2001 while enclosing another representation of the villagers has informed, that the villagers have expressed a doubt that

if the new Primary School is opened in BC Colony, the strength in the existing Upper Primary School in the same village will fall short. Further, the villagers in their representation have represented that there are two schools ie., one Primary and one Upper Primary school in existence in their village and there is no need to open another Primary School at B C colony and requested to cancel the orders which were already issued to open new Primary School at B.C.Colony. It is further stated that action is being taken to take appropriate decision on the representation of the villagers on the opening of another new Primary School at B.C.Colony of Petlurivaripalem, Narasaraopet.

In view of the averments made in the counter affidavit, without expressing any opinion on merits, the respondents are directed to take appropriate decision, if not already taken, in this regard, within a period of four months from the date of receipt of a copy

of this order and communicate the same to the petitioner.

Writ petition is disposed of accordingly. No costs.

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4-7-2007

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